

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OCT 28 2005

First Named  
Inventor : John Timothy Otto et al.

Group Art Unit: 3644

Appn. No. : 10/814,384

Examiner: T. Dinh

Filed : March 31, 2004

For : ICE DETECTOR FOR IMPROVED ICE  
DETECTION AT NEAR FREEZING  
CONDITION

Docket No. : B04.12-0075

## CERTIFICATION OF TELEFACSIMILE TRANSMISSION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

(571) 273-8300

Sir:

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1. Response After Final.

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RESPONSE UNDER 37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 3600

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AMENDMENT AFTER FINALMail Stop AF  
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P.O. Box 1450  
Alexandria, VA 22313-1450  
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This is in response to the Final Office Action mailed on August 24, 2005 in which claims 1-4 were rejected. With this response, claims 1-4 are again presented for reconsideration and allowance in view of the following remarks.

CLAIM REJECTIONS - 35 U.S.C. §112

In the Final Office Action, claims 1-4 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The Office Action asserted that the claims fail to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. More specifically, the Office Action stated that the phrase "vibrating type" is vague and indefinite. The rejection of claims 1-4 under 35 U.S.C. §112, second paragraph, is respectfully traversed.

The phrase "vibrating type", used to describe the ice detectors of the present invention, is neither vague nor indefinite. To the contrary, the phrase "vibrating type" is well defined in the present application. For example, on page 1, the present application states that "[a] frequently used type of ice detector is a vibrating ice detector. Vibrating type ice detectors use a vibrating probe